

# **Rockport Conservation Commission Policy on Soil Test Pits**

## **INTRODUCTION & DESCRIPTION:**

State law for septic systems (310 CMR 15, aka Title V) establishes that septic systems must be at least 50 feet from any wetland or waterway. Rockport Conservation Commission (RCC) regulations establish that all septic system units must be greater than 100 feet from any wetland. Obvious exceptions are when a system for an existing home fails and a replacement system must be placed within 100 feet of a wetland because there is no other place to put it. This exception requires that the applicant apply for a permit (Notice of Intent), that the RCC issue an Order of Conditions for the activities, and that the RCC grant a waiver for the septic system construction within 100 feet of a wetland. Constructing new, as well as replacement septic systems requires that test pits be dug to determine the appropriate placement for the system. When these test pits are to be dug within 100' of a wetland, the owner/contractor must notify the RCC that test pits will be dug.

## **POLICY:**

With the above in mind, when an applicant contacts the Conservation Agent for a permit to dig test pits within 100' of a wetland the applicant must:

1. Determine the distance to each wetland on or off the site and that the test pits will be dug within 100' of a wetland.
2. Submit a plan of the area showing the proposed test pit location(s) and all wetlands on and off the site within 100' of the area(s).
3. If test pit(s) is to be dug less than 100 feet to a wetland, the Conservation Agent shall be notified so that a site visit may be conducted with the applicant and/or contractor.
4. If test pit(s) is to be dug less than 50 feet to a wetland, the applicant must submit a Request for Determination of Applicability (RDA) to the Commission for review.
5. If the test pit(s) is to be dug less than 100 feet but greater than 50 feet to a wetland, no RDA is necessary, but siltation barriers may be necessary (depending on the site topography). The Agent will determine whether or not siltation barriers are necessary.
6. All test pit construction conducted within 100' of a wetland shall be completed in one (1) day and the soils removed for the test shall be replaced in the hole(s) immediately after the test is completed.

## **REASONING:**

**The above policy in regard to resource areas is mainly to protect the resource area(s) from siltation and destruction during and after test pit activities.**

For further information, please contact:

Conservation Agent  
Rockport Conservation Commission  
34 Broadway  
Rockport, MA 01966  
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Website: [www.town.Rockport.ma.us](http://www.town.Rockport.ma.us) (Regulatory & Land Use)

This policy was approved by the Rockport Conservation Commission at its January 4, 2012 meeting.